

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

CASE NO.: 8:19-cv-02031-WFJ-TGW

MONY LIFE INSURANCE COMPANY  
f/k/a The Mutual Life Insurance Company of  
New York,

*Plaintiff,*

v.

BERNARD R. PEREZ,

*Defendant.*

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**FINAL JUDGMENT OF GARNISHMENT  
AS TO GARNISHEE SOUTHSTATE BANK, N.A.**

This cause came before the court upon Plaintiff/Judgment Creditor MONY LIFE INSURANCE COMPANY's Motion For Final Judgment In Garnishment Against Garnishee SouthState Bank, N.A. and Incorporated Memorandum of Law (the "Motion"). Upon consideration of the Motion and after examination of the pleadings and papers on file, the Court **ORDERS** and **ADJUDGES** that judgment is entered in favor of the Plaintiff, as follows:

1. The Motion is hereby **GRANTED**.
2. The Court hereby finds that it has jurisdiction over the subject matter as well as Plaintiff/Judgment Creditor MONY LIFE INSURANCE COMPANY ("Plaintiff"), Defendant BERNARD R. PEREZ ("Defendant/Judgment Debtor") and Garnishee SOUTHSTATE BANK, N.A. ("Garnishee"). The equities of this action are with the Plaintiff.
3. The Court hereby finds that Defendant/Judgment Debtor failed to timely file a motion seeking to dissolve the Writ as allowed by Fla. Stat. § 77.07(2).

4. The Court hereby finds that non-party Margarita L. Whidden failed to timely set forth a claim to the Garnished Funds as required by Fla. Stat. § 77.16(1) and further that non-party Margarita L. Whidden does not claim any portion of the \$3,842.85 held by Garnishee as her own as confirmed by counsel for Defendant/Judgment Debtor via email as reflected in DE 503-1.

5. The Court hereby finds that Defendant/Judgment Debtor's Claim of Exemption was previously denied by this Court by Order [DE 515] and [DE 527].

6. Garnishee shall pay to Plaintiff, for which let execution issue immediately and forthwith, the following funds held in the following accounts identified in Garnishee's Amended Answer of Garnishee [DE 496]:

Acct. No.	Name/Type	Value
xxx9069	Bernard R. Perez; Margarita L. Whidden	\$3,842.85

7. Garnishee shall pay the above total amount of \$3,842.85 (the "Garnished Funds") to Plaintiff.

8. The Garnished Funds shall be made payable to "Shutts & Bowen Trust Account" and delivered to Plaintiff at c/o Shutts & Bowen LLP, Attn: John Meagher, 200 South Biscayne Blvd., Suite 4100, Miami, FL 33131.

9. Upon compliance by Garnishee with the requirements as set forth in this Final Judgment of Garnishment, the August 2, 2023 Writ of Garnishment [DE 470] shall thereafter be dissolved without need for further Order from this Court and Garnishee shall be relieved from any further liability or obligation under such Writ of Garnishment and this Final Judgment of Garnishment.

**DONE and ORDERED** in Tampa, Florida on 12/13, 2023.

  
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WILLIAM F. JUNG  
UNITED STATES DISTRICT JUDGE